

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE METHYL TERTIARY BUTYL ETHER  
PRODUCTS LIABILITY LITIGATION

Master File No. 1:00-1898  
MDL 1358 (SAS)  
M21-88

**This document pertains to:**

*City of New York v. Amerada Hess Corp. et al.,*  
Case No. NY-04-CV-03417

**DECLARATION OF JENNIFER KALNINS TEMPLE IN SUPPORT OF  
DEFENDANT EXXON MOBIL CORPORATION'S MEMORANDUM OF LAW IN  
SUPPORT OF DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE  
OF FUTURE INJURY OR DAMAGE TO PLAINTIFF'S WELLS 5, 22, 26, 39 AND 45**

Jennifer Kalnins Temple, an attorney duly licensed to practice law in the State of New York and in the United States District Court for the Southern District of New York, hereby declares the following under penalties of perjury:

1. I am a member of the law firm McDermott Will & Emery LLP, counsel for defendant Exxon Mobil Corporation (hereinafter "Defendant") in the above-captioned case. I respectfully submit this Declaration in support of Defendants' Motion *in Limine* to Exclude Evidence of Future Injury or Damage to Plaintiff's Wells 5, 22, 26, 39 and 45 (hereinafter "motion") that is being filed concurrently herewith in the above-captioned case. This Declaration authenticates the exhibits attached and referenced in Defendant's Motion. In accordance with this Court's Individual Rules and Procedures, only the relevant pages of each exhibit are attached.

2. Attached at Exhibit A are true and correct copies of relevant pages from Plaintiff City of New York's Responses and Objections to Defendants' Well Specific Discovery (October 24, 2008). The attached copies were made on or about May 8, 2008.

3. Attached at Exhibit B are true and correct copies of relevant pages from the transcript of the deposition of William A. Meakin (April 22-23, 2009). The attached copies were made on or about May 11, 2009.

4. Attached at Exhibit C are true and correct copies of relevant pages from a memo from Dan O'Rourke to Tracey Liberi, Rick Cisterna, Eileen Feldman and Omar Gadalla re: Jamaica Phase I Groundwater: Selection of Wells for Use in Dependability, which was entered as Gamache exhibit 6 in this matter on January 1, 2009. The attached copies were made on or about May 11, 2009.

5. Attached at Exhibit D are true and correct copies of of relevant pages from the transcript of the deposition of Marnie A. Bell (April 21, 2009). The attached copies were made on or about May 11, 2009.

Dated: May 11, 2009

  
JENNIFER KALNINS TEMPLE